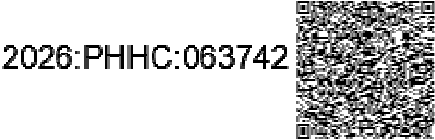


CRM-M-15113-2026



137

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15113-2026

Rubal

....Petitioner

Versus

State of Punjab

...Respondent

Date of Decision: April 27, 2026
Date of Uploading: April 27, 2026

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Hardik Ahluwalia, Advocate for the petitioner.
Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the BNSS seeking grant of regular bail to the petitioner, in case bearing FIR No.27 dated 22.01.2026, registered for the offences punishable under Sections 306, 318(4), 338, 336(2), 336(3), 340(2) and 61(2) of the BNS, 2023, at Police Station Division 8, District Police Commissionerate Ludhiana.

2. The gravamen of the FIR in question is that the petitioner, along with his co-accused, is an accused of having misappropriated 2000 trucks having one lac ton of construction material like sand, crusher and soil worth Rs.9 crores.

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 22.01.2026. Learned counsel has iterated that the

CRM-M-15113-2026

petitioner has been falsely implicated into the FIR in question. Learned counsel has argued that the petitioner was merely working as a security guard and the police is intentionally shielding the main accused. Learned counsel has further submitted that allegation of misappropriation pertain to the period for over more than one year. Learned counsel has further submitted that the petitioner is a young man aged 21 years having extremely meager means and is the sole bread-earner of the family. Learned counsel has further submitted that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has filed short reply by way of an affidavit dated 25.04.2026, in the Court today, which is taken on record. Raising submissions in tandem with the said short reply, learned State counsel has opposed the present petition by arguing that allegations raised against the petitioner are serious in nature and, thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel also seeks to place on record the custody certificate dated 26.04.2026, in the Court today, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 22.01.2026, whereinafter, the investigation was carried out and the challan *qua* petitioner has been presented on 20.04.2026. Total 10 cited prosecution witnesses have been cited and it is the conceded case before this Court that none has been examined till date. The rival contentions raised at Bar give rise to debatable issues, which shall essentially be ratiocinated upon during the course of trial.

CRM-M-15113-2026

This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 26.04.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 02 months and 30 days, & is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail, if not required in any other case, on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

CRM-M-15113-2026

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.
9. Ordered accordingly.
10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

April 27, 2026

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No